

SUMMARY REPORT DIGEST-
COMPLAINT REGISTER INVESTIGATION NO.:

270131

DATE OF REPORT (DAY-MO.-YEAR)

12Jul01

CHICAGO POLICE DEPARTMENT

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: SUPERINTENDENT OF POLICE
ATTENTION ☒ ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS
☐ ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

FROM - INVESTIGATOR'S NAME Andrew Butler		RANK Inv.	STAR NO. 261	SOCIAL SEC. NO. [REDACTED]	EMPLOYEE NO. [REDACTED]	UNIT ASSIGN. 113		
ADDRESS OF INCIDENT 5500 S. Halsted (outside)			DATE OF INCIDENT - TIME 20Mar01, 1520		BEAT OF INCIDENT 711	LOCATION CODE* 17		
ACCUSED	NAME 1. Aaron Cunningham		RANK P.O.	STAR NO. 15522	SOCIAL SEC. NO. [REDACTED]	EMPLOYEE NO. [REDACTED]	UNIT ASSIGN. 007	
	2 Edward Johnson		P.O.	14218	[REDACTED]	[REDACTED]	007	
	SEX/RACE 1. M/W	D.O.B. [REDACTED] 67	DATE OF APPOINTMENT 29Jun98		DUTY STATUS (TIME OF INCIDENT) [X] ON DUTY [] OFF DUTY		[X] SWORN [] CIVILIAN	PHYS. COND.. CODE 01
	2 M/H	[REDACTED] 76	13Sep99		[X] ON DUTY [] OFF DUTY		[X] SWORN [] CIVILIAN	01
	IF APPLICABLE - DATE ARRESTED/INDICATED 1.		CHARGES		COURT BRANCH		DISPOSITION & DATE	
	2.							
COMPLAINANTS	NAME [REDACTED]		ADDRESS** CITY STATE		TELEPHONE	SEX/RACE M/B	D.O.B./AGE [REDACTED] 30	PHYS. COND. CODE 01
VICTIMS	NAME		ADDRESS** CITY STATE		TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS. COND. CODE
WITNESSES	NAME		ADDRESS** CITY STATE		TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS. COND. CODE

☐ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

SEE PAGE 2

I.A.D. LOCATION CODES*

01 Food Sales/Restaurant
02 Tavern/Liquor Store
03 Other Business Establishment
04 Police Building
05 Lockup Facility
06 Police Maintenance Facility
07 CPD Automotive Pound Facility
08 Other Police Property
09 Police Communications System
10 Court Room

11 Public Transportation Veh./Facility
12 Park District Property
13 Airport
14 Public Property - Other
15 Other Private Premise
16 Expressway/Interstate System
17 Public Way - Other
18 Waterway, Incl. Park District
19 Private Residence

I.A.D. PHYSICAL CONDITION CODES

01 No Visible Injury - Apparently Normal
02 No Visible Injury - Under Influence
03 Injured, Not Hospitalized
04 Injured, Not Hospitalized - Under Influence
05 Injured, Hospitalized
06 Injured, Hospitalized - Under Influence
07 Injured, Refused Medical Aid
08 Injured, Refused Medical Aid - Under Influence
09 Deceased
10 Deceased - Under Influence

** IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

SUMMARY

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegations(s).
In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

ATTACHMENTS

INVESTIGATIVE REPORTS-
SUPPORTING ALLEGATION
LIST ATTACHMENT NUMBERS:

2

INVESTIGATIVE REPORTS-
SUPPORTING ACCUSED MEMBER(S)
LIST ATTACHMENT NUMBERS

3, 4, 10, 15

PHYSICAL EVIDENCE
NONE
LIST ATTACHMENT NUMBERS:

TOTAL NUMBER OF ATTACHMENTS
SUBMITTED WITH THIS FILE:

18

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation. Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for days (not to exceed 5 days).

FINDINGS:

Accused #1 Officer Cunningham
Allegations #1-#4 Not Sustained

Accused #2 Officer Johnson
Allegation #1 Not Sustained

APPROVED:

Supervisor/OPS

Summary Prepared By: Inv. Brian Killen, #299

DATE INITIATED
(DATE COMPLAINT WAS
RECEIVED FOR INVESTIGATION)

26Mar01

DATE COMPLETED
(DATE OF THIS
REPORT)

12Jul01

ELAPSED TIME

(TOTAL TIME,
EXPRESSED IN DAYS)

108

Investigator will initiate the Command Channel Review
for by completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE

ALLEGATIONS:

On 26 March 2001, at approximately 1415 hours, [REDACTED] telephoned the Office of Professional Standards and registered this complaint with Civilian Yolanda Toppins, [REDACTED].

[REDACTED] alleged that on 20 March 2001, at approximately 1520 hours, in the vicinity of 800 W. Garfield, Officer Aaron Cunningham, #15522:

- 1.) pushed and pulled him towards the squad car;
- 2.) slapped him on his face;
- 3.) planted 232 grams on his person;
- 4.) offered to pay him \$1000.00 USC if he told about the drug dealings in the area of 800 W. Garfield.

[REDACTED] further alleged that on 20 March 2001, at approximately 1520 hours, in the vicinity of 800 W. Garfield, Officer Edward Johnson, #14218:

- 1.) grabbed and squeezed his neck.
-

SUMMARY OF ALLEGATIONS:

In an interview with Investigator Delaney, #297, [REDACTED] stated that as he was talking to a friend outside of a Shell Gas Station when an Officer Cunningham grabbed him by the back of his jacket and pulled him to the squad car. He placed his hands on the squad car and was searched. Officer Johnson then approached [REDACTED], grabbed him by the back of his neck, and squeezed. He was handcuffed and placed into the back of the squad car as Officer Johnson then searched his car. Officer Cunningham offered to give [REDACTED] \$1000.00 USC if he told him about other drug dealers in the area. Officer Cunningham also threatened to plant narcotics on him if he did not tell him what he wanted. Officer Johnson then came back to the squad car and informed Officer Cunningham that [REDACTED] car was "clean." Officer Cunningham then slapped [REDACTED] on the left side of his face, walked over to the other car, and pretended to find the narcotics under the hood. [REDACTED] further stated that he was not injured.

The Arrest Report indicated that [REDACTED] was arrested for PCS, No Turn Signal, and No Insurance.

The Case Report indicated that the officers observed [REDACTED] traveling at a high rate of speed and turn into the gas station lot. The officers pulled behind to conduct a traffic stop. [REDACTED] exited his vehicle, ignored the officers, and walked toward another vehicle. The officer ordered [REDACTED] to the front of his vehicle, when they noticed a strong odor of Cannabis. Upon inspection, a large quantity of narcotics was found under the hood, on top of the battery.

In his report, Officer Cunningham, #15522, stated that he stopped [REDACTED] for a traffic stop, when he encountered a strong odor of cannabis coming from the car. Cannabis was found to be under the hood. Officer Cunningham stated that at no time did he or any other officer physically abuse [REDACTED], who was compliant during the incident. Officer Cunningham also stated that at no time did he offer any money to [REDACTED] for any knowledge he may have of narcotics trafficking.

In his report, Officer Johnson, #14218, stated essentially the same information as Officer Cunningham.

CONCLUSION:

The Reporting Investigator recommends a finding of **Not Sustained** for **Allegations #1 thru #4**, that Officer Aaron Cunningham, #15522, pushed and pulled him towards the squad car, slapped him on his face, planted 232 grams on his person, and offered to pay him \$1000.00 USC if he told about the drug dealings in the area of 800 W. Garfield.

There were no independent witnesses to the alleged incident. [REDACTED] stated that he was not injured. Both officers denied all of the allegations made by [REDACTED]. There is insufficient evidence to support or refute [REDACTED]'s allegations.

The Reporting Investigator recommends a finding of **Not Sustained** for **Allegation #1**, that Officer Edward Johnson, #14218, grabbed and squeezed his neck.

There were no independent witnesses to the alleged incident. [REDACTED] stated that he was not injured. Both officers denied all of the allegations made by [REDACTED]. There is insufficient evidence to support or refute [REDACTED]'s allegations.